

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DAVID BOHM,)	
)	Civil Action No. 12 – 16J
Plaintiff,)	
)	
v.)	Chief Magistrate Judge Lisa Pupo Lenihan
)	
MELISSA STRAW, <i>et al.</i> ,)	
)	ECF Nos. 27, 34, 41
Defendants.)	

ORDER

AND NOW, this 8th day of January, 2013;

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendants (ECF No. 27) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's Motion for Preliminary Injunction and Temporary Restraining Order (ECF No. 34) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's Motion to Amend/Correct Complaint (ECF No. 41) is construed as a Motion to Supplement and is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff is not permitted to amend his complaint as granting him leave to do so would be futile. *See Fletcher-Harlee Corp. v. Pote Concrete Contractors, Inc.*, 482 F.3d 247, 251 (3d Cir. 2007); *see also Alston v. Parker*, 363 F.3d 229, 235 (3d Cir. 2004) (asserting that where a complaint is vulnerable to dismissal pursuant to 12(b)(6), the district court must offer the opportunity to amend unless it would be inequitable or futile).

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

/s/ Lisa Pupo Lenihan

Lisa Pupo Lenihan
Chief United States Magistrate Judge

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